

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**WFG NATIONAL TITLE INSURANCE
COMPANY**, a foreign corporation,

Plaintiff,

v.

ZACH BAY, an individual, **REBECCA
VULGAS**, an individual, and **STEWART
TITLE COMPANY**, a foreign corporation,

Defendants.

Case No. 3:22-cv-01010-AR

**ORDER ADOPTING FINDINGS
AND RECOMMENDATION DENYING
THE MOTION TO DISMISS AND
MOTION FOR JOINDER**

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IMMERGUT, District Judge.

This Court has reviewed de novo the portions of the F&R to which Plaintiff objected. For
the following reasons, the Court ADOPTS Judge Armistead's F&R.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

This Court has reviewed de novo the portions of Judge Armistead’s F&R to which Defendants objected. Judge Armistead’s F&R, ECF 17, is adopted in full. This Court DENIES Defendants Bay and Vulgas’s Motion to Dismiss, ECF 5, and Defendant Stewart Title Company’s Motion for Joinder, ECF 7. Any other pending motions are DENIED as MOOT.

IT IS SO ORDERED.

DATED this 19th day of October, 2023.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge